



Clark County Railroad Advisory Board Meeting Minutes

Monday, February 12, 2024, 4:02pm to 5:22pm
Public Service Center, 1300 Franklin St., 6th Floor BOCC
Training Room and virtual via Microsoft Teams

Advisory Board-Present: Dan Weaver, Jim Malinowski, Jim Pearson, John Shaffer, Mark Daniels, Mark Herceg, Neil Chambers, Zack Keith

Advisory Board-Not Present: Eric Fuller, Gregg Smith, John Hansen

Clark County Staff and Leadership: Glen Yung, Kathleen Otto, Kevin McDowell, Kevin Tyler, Rocky Houston, Sue Marshall

Battle Ground, Yacolt, Chelatchie Prairie Railroad (BYCX): Randy Williams, Doug Auburg

Portland Vancouver Junction Railroad (PVJR): None

Guests: Dave Rowe, Gregg Herrington, Jackie Lane, Jerry Jacobus, Jordan Boege, Kim O'Hara, Kirk VanGelder, Maggie Derk (City of Vancouver), Margie Burgett, Michael O'Connell, Steve Jagelski

4:02pm Quorum present and meeting called to Order – Dan Weaver

4:05pm January 8, 2024, minutes adopted, with amendment to Good of the Order section (Motion by John Shaffer, Second by Neil Chambers)

Comments from the Chair – None

Portland Vancouver Junction Railroad (PVJR) – No presence

Battle Ground, Yacolt, Chelatchie Prairie Railroad (BYCX) – Randy Williams

- Should start running Mother's Day weekend
- Maintenance at Chelatchie / trying to get it ready and move cars out of the way should PVJR resume intent of commercial operations
- Replaced approximately 175 ties in mill area / 45 were switch ties so they are all engaged and nailed down / 1,000 spikes used
- Rockslide around MP 23.8/23.9 – 40-50 cu yards of rock and dirt on the track and no clearance to get around – Out of the scope of what they maintain as the rocks are large – will be working with Kevin to repair
- Found crushed cap in bridge 23 – out of service
- Vandalism of coach in Yacolt – kicked in wooden door with padlock – volunteer is making a new door
- Vandalism of work cart on tracks – youth were caught and parents were spoken with
- New volunteer program – work list that is more organized
- Coach 60 needs work
- Steam engine usually comes out on Father's Day
- Nothing new on the building – still working out the lease from PVJR

County Activities – Kevin Tyler

- Bridge Repairs Project Update
 - Final set of plans, specs, and estimate is routing through the county departments for final review before going out to bid
 - Should go out to bid in March pending approval of hydraulic project application with WDFW – once we have the permit we can go out for bid
 - Covers six trestle bridges; 6, 12, 18, 20, 23, and 25 and all priority repairs in 2020 inspections by HDR – have done inspections since and will provide to OTAK, the engineer signing off on those plans
 - Construction should occur over the summer months, possibly sooner if the process goes well
- Railroad Roadbed Rehabilitation Project Update
 - Anticipating kick-off meeting with Exeltech – they will evaluate the north line and determine necessary repairs, replacement of cross ties, and addition of ballast as far north as Chelatchie – then we will see if there is any additional money and what we can do with it
 - Tentative plan for getting the project out to bid is this fall
- Railroad Bridge Management Plan
 - Final plan has been sent to Federal Railroad Administration for review and approval
 - Inspection reports are coming in and are being shared with OTAK
 - Waiting for load rating analysis for some bridges
- Freight Rail Dependent Use – Consultant Update
 - Community Planning had a request for proposal out to hire a consultant to help with FRDU
 - Advertisement window has closed, they've received a couple proposals, and are reviewing them to select the most qualified
 - Community Planning will provide updates and Kevin will share with the group

Unfinished Business – Dan Weaver

- Recruitment of vacant RRAB Positions - Three vacancies on the board
 - City of Vancouver will continue to monitor meetings but do not want to be an active member
 - CREDC is similar other than they probably will not monitor closely – they will respond to requests but do not want to be a sitting member on the board
 - Kent Cash/Port of Vancouver have chosen not to participate due to other interests and projects – they do not have time to work on anything related to the railroad
 - Reviewed press release – Kevin will get out as soon as he can
 - Applications would be due the beginning of March
- Mission and bylaws signed and will go to Kathleen Otto for signature
- County Code will need to go to council

New Business – Dan Weaver

- Should have a meeting to discuss focus of board meetings going forward

Public Comment – Dan Weaver:

- Dave Rowe
 - Battery powered trolley is running – Memorial Day will have passengers and it's in Lake Oswego – will be called Bill Nato Trolley as Nato was who got the four trolleys in Portland – brought flyers regarding the history – range is about 48-60 miles and it then charges overnight – at this time it is just excursion – street car may run on that line in the future
- Jackie Lane - Asked the board to consider having a community representative who helps facilitate conversations on the board instead of only having people with railroad experience – Dan said there are some neighborhood people on the board such as Neil Chambers and Jim Malinowski

- John Shaffer
 - Read email from Friends of Central Vancouver - Email included pictures that clearly show trucks with lights on during the night on the PVJR and Barberton properties. The email says this is retaliation from Eric Temple and Mike Leboki (owner of the trucking company) who want to punish neighbors for exposing their environmental degradation and lack of permits regarding the area next to their watershed and Curtin Creek Wetlands.
 - Read email sent by Eric Temple in 2018 – Email is in regards to hazardous materials and stated that county staff is not familiar with federal law and as railroad owners both Clark County and PVJR are legally obligated to deliver hazardous material
 - John is concerned about these emails and the board needs to know they're going to be looking at going forward – also, public testimony should go to Kevin Tyler, Railroad Advisory Board Coordinator

Good of the Order – Dan Weaver

- John Shaffer – has been thinking about what the board has become – accomplished many things in the past – doesn't feel the board has been accomplishing anything – no update from anyone regarding legislature - Bill 1371 tax credit passed and is going to the senate – feels like the board has taken a few steps back this year with the issue at Chelatchie – FRDU will be a five step process – Kevin said there will be community engagement and he has talked with Community Planning about how the RRAB would like to be involved.
- Michael O'Connell wondered why the board would depend on Eric as to whether they interface with legislators – that is a way of action that could facilitate a better understanding of what's going on down here – also feels that the board members should be here – Dan said going to Olympia is an organized event and you need an advocate
- Michael O'Connell said the article by Gregg Herrington is very good and encouraged everyone to read it
- Mark Daniels – Regarding the new road being put in – is there any update on that? Kevin said the latest updates are on the county website, but both the Department of Ecology (DOE) and Environmental Protection Agency (EPA) are involved. The EPA took the lead and is continuing their work and investigation and working with Eric Temple's company at both Chelatchie and Barberton site. DOE has asked for PVJR to apply for a construction stormwater general permit coverage for the entire line. They submitted an application and are working through the process. Agencies that were here last week doing site visits. Mark Daniels asked if the EPA is preempting the State of Washington. Kevin said the EPA is taking jurisdiction for certain sections of the Clean Water Act like dredge and fill material in waters of the United States and DOE is asserting jurisdiction for a different section of the Clean Water Act that is related to control of pollutants from an active construction site. Mark Daniels did some research and it sounds like the FRA and Surface Transportation Board are washing their hands of it and say it's up to the courts to decide. Kevin is not aware of any court actions or petitions to the Surface Transportation Board. The federal and state agencies are communicating directly with Eric Temple and he appears to be cooperating and is allowing access to his properties. County has been copied on various correspondence and that is included on the website.
- Discussion regarding 5517 and the importance of it, bringing in more businesses and taxes, the rock quarry

5:22pm Meeting Adjourned

Submitted by Chris Walker

Upcoming Meeting:

Date: March 11, 2024

Time: 4:00pm to 5:30pm

Location: Public Service Center, 1300 Franklin St., 6th Floor Training Room and virtual